



12-03-01

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EXPRESS MAIL NO. 884291219 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kevin R. THOMAS et al.

Application No.: 09/898,255

Group Art Unit:

Filing Date: July 3, 2001

Examiner:

For: METHOD AND SYSTEM OF SETTING
AND/OR CONTROLLING OF A FOOD
PRODUCT DISPENSING MACHINE USING
TAG-TYPE COMMUNICATION DEVICE

Attorney Docket No.: 88265-4040

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

ATTENTION: BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed September 13, 2001, a copy of which is attached hereto, submitted herewith is the Declaration for the subject application which has been executed by the applicants, **Kevin R. THOMAS, Donald CARDWELL, and Ruguo HU**. Also enclosed is the Power of Attorney which has been executed by an authorized representative of the assignee, Nestec S.A.

Also submitted herewith are eight (8) sheets of formal drawings consisting of Figs. 1-8. Applicants respectfully request that the attached formal drawings be substituted for the drawings originally filed in this application.

A fee of \$130.00 is believed to be due for the submission of this Response. Please charge the required fees to Winston & Strawn Deposit Account No. 501-814.

Respectfully submitted,

November 2, 2001

Date

Allan A. Fanucci, Reg. No. 30,256

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/898,255	07/03/2001	Kevin Thomas	88265-4040

CONFIRMATION NO. 1910

FORMALITIES LETTER



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NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

12/05/2001 TBESHAH1 00000057 501814 09898255

Filing Date Granted

01 FEB105 130.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

J. Stokes

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE